A BILL TO AMEND THE MYSORE COURT-FEES REGULATION, III OF 1900.

Whereas it is expedient to amend the Mysore Court-Fees Regulation, III of 1900: His Highness the Maharaja is pleased to enact as follows:—

1. In Section 4, clause V, after the words "land, houses and gardens," the words "except in the case provided for in clause XII" shall be inserted.

2. In Section 4, the following shall be added at the end:—

"XII. In suits by a lessor or a landlord against his lessee or tenant to recover possession of land, houses and gardens, leased or tenanted, the amount of fee payable shall be either a fixed fee of 10 rupees, or according to the amount of the rent payable for the year next before the date of presenting the plaint, whichever is the greater of the two."

STATEMENT OF OBJECTS AND REASONS.

Under Section 4, clause V of the Court-Fees Regulation, 1900, the court-fee payable in suits for possession of land, houses and gardens is regulated according to the amount of the value of the subject matter of the suit. This applies not merely to suits where the plaintiff's title to the property in dispute is contested, but also to ejectment suits where a lessor or a landlord seeks to recover possession of his own property from his lessee or tenant owing to the latter's non-payment of rent or other similar cause. It has been represented to Government (*vide* Subject No. 47 of the Representative Assembly of 1906) that this operates as a hardship on lessors and landlords who have to pay heavy court-fees even in ejectment suits. The object of the present bill is to amend the Court-Fees Regulation so as to remedy this hardship. The bill enacts that, in suits for possession by a lessor or landlord against his lessee or tenant, the court-fee payable shall be, either a fixed fee of Rs. 10, or according to the amount of the rent payable for the year next before the date of presenting the plaint, whichever is the greater of the two.

As a consequential change, a proviso is added, by the bill, excluding ejectment suits by lessors or landlords, from the operation of Section 4, clause V.

By Order,

K. MYLAR RAO,

Secy., Mysore Legislative Council.